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- A<sup>1</sup>
- (b) analyzing the expression of a polypeptide having at least 90% amino acid sequence identity to the polypeptide encoded by SEQ ID 1 or 2, and having uncoupling activity, within the sample.

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Please cancel Claims 3-26, without prejudice to their further prosecution in a Divisional and/or Continuation application.

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Please add Claims 27-37 as follows:

27. (New) The method of Claim 1, wherein the analyzing comprises analyzing the expression of a polypeptide having at least 95% amino acid sequence identity to the protein encoded by SEQ ID 1 or 2.

28. (New) The method of Claim 1, wherein the mammalian cell or tissue sample is a human cell or tissue sample.

29. (New) The method of Claim 1, wherein the analyzing comprises analyzing the expression of a polypeptide having at least 90% amino acid sequence identity to the protein encoded by SEQ ID 1.

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30. (New) The method of Claim 1, wherein the analyzing comprises analyzing the expression of a polypeptide having at least 90% amino acid sequence identity to the protein encoded by SEQ ID 2.

31. (New) The method of Claim 28, wherein the analyzing comprises analyzing the expression of a polypeptide having at least 95% amino acid sequence identity to the protein encoded by SEQ ID 1 or 2.

32. (New) The method of Claim 28, wherein the analyzing comprises analyzing the expression of a polypeptide having at least 90% amino acid sequence identity to the protein encoded by SEQ ID 1.

33. (New) The method of Claim 28, wherein the analyzing comprises analyzing the expression of a polypeptide having at least 90% amino acid sequence identity to the protein encoded by SEQ ID 2.

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34. (New) The method of Claim 1, wherein the analyzing comprises analyzing the expression of a polypeptide having at least 95% amino acid sequence identity to the protein encoded by SEQ ID 1.

35. (New) The method of Claim 1, wherein the analyzing comprises analyzing the expression of a polypeptide having at least 95% amino acid sequence identity to the protein encoded by SEQ ID 2.

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36. (New) The method of Claim 28, wherein the analyzing comprises analyzing the expression of a polypeptide having at least 95% amino acid sequence identity to the protein encoded by SEQ ID 1.

37. (New) The method of Claim 28, wherein the analyzing comprises analyzing the expression of a polypeptide having at least 95% amino acid sequence identity to the protein encoded by SEQ ID 2.

### SUPPORT FOR AMENDMENT

The amendment to Claim 1 is supported by the specification, page 5, lines 29-31; page 25, line 26 through the end of page 26; and Claim 3. Claims 27 and 31 are supported by the specification, page 6, line 1. Claim 28 is supported by the specification, page 11, lines 13-16. Claims 29, 30 and 32-37 are supported by the specification, page 25, line 26 through the end of page 26. No new matter has been added.

Attached hereto is a marked-up version of Claim 1, showing deletions and insertions.

### REQUEST FOR RECONSIDERATION

Applicants would like to thank Examiner Angell, and his supervisor, for the courteous and helpful discussion held with Applicants' representative on November 6, 2002. During the discussion amendments to the claims to overcome the outstanding rejections were discussed.

The rejection of the claims under 35 U.S.C. §112, second paragraph, has been obviated by appropriate amendment.